

Waiver of Service of Summons

TO: Fitapelli & Schaffer, LLP
Brian S. Schaffer, Esq.
28 Liberty Street, 30th Floor
New York, New York 10005

I acknowledge receipt of your request that I waive service of summons in the action of *Clemons v. Enterprise Holdings, Inc.*, which is case number 20 Civ. 5259 in the United States District Court for the Eastern District of New York. I have also received a copy of the Complaint in this action, two copies of this instrument and a means by which to return the signed waiver to you without cost to me.

I agree to save the cost of service of summons and an additional copy of the Complaint in this lawsuit by not requiring that my client Enterprise Holdings, Inc., be served with judicial process in the manner provided by Rule 4.

Enterprise Holdings, Inc. will retain all defenses or objections to the lawsuit or to the jurisdiction of the court or the venue in which the action has been brought except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against Enterprise Holdings, Inc. if an answer or motion under Rule 12 is not served upon you within 60 days after November 6, 2020.

11/6/20
Date

Kenneth A. Novikoff
Kenneth A. Novikoff
Rivkin Radler LLP
926 RXR Plaza
Uniondale, New York 11556